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Attorneys for Federal Defendants

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

MONTANA WILDLIFE FEDERATION,)	CV 18-69-GF-BMM
<i>et al.</i>)	
)	DEFENDANTS' MOTION FOR
Plaintiffs,)	VOLUNTARY REMAND
v.)	
)	
DAVID BERNHARDT, Secretary of the)	
Interior,)	
<i>et al.</i>)	
)	
Federal Defendants,)	
)	
and)	
)	
THE STATE OF WYOMING <i>et al.</i>)	
)	
Defendant-Intervenors)	
)	

Defendants David Bernhardt, Secretary of the Interior, *et al.* respectfully move for a voluntary remand of one of the five U.S. Bureau of Land Management's ("BLM") leasing decisions at issue in Phase Two: the December 2017 Nevada lease sale. This motion does not affect the December 2017 and March 2018 Wyoming oil and gas lease sales and the March 2018 and June 2018 Nevada lease sales, which Defendants will address in their summary judgment briefing. As to the lease sale subject to this motion, Defendants seek a voluntary remand without a ruling on the merits and without vacatur in order to allow BLM to conduct additional review of the decision. The grounds for this motion are set forth in the accompanying memorandum in support.

Defendants' counsel has contacted counsel for the parties to get their position regarding this motion, and Plaintiffs oppose this motion. Defendant-Intervenor State of Wyoming does not oppose the motion, and the State of Montana has not taken a position on the motion. Defendant-Intervenor Western Energy Alliance will review the motion and relief requested before taking a position on the motion and will comply with the briefing schedule to notify the Court of its position.

Respectfully submitted this 13th day of November, 2020.

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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing is being filed with the Clerk of the Court using the CM/ECF system, thereby serving it on all parties of record on November 13, 2020.

/s/ Luther L. Hajek

LUTHER L. HAJEK

Counsel for Federal Defendants